

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JOSUE SOTO Individually , on Behalf of
All Others Similarly Situated, and on
Behalf of the General Public ,

Plaintiff,

v.

DIAKON LOGISTICS (DELAWARE),
INC.,

Defendant,

AND RELATED COUNTERCLAIM
AND THIRD-PARTY COMPLAINT.

Civil No. 08cv33-L(AJB)

ORDER RE: ORAL ARGUMENT

Currently scheduled on this court's calendar for April 7, 2008 is Plaintiff's motion to dismiss counterclaim as to Counter-defendant Josue Soto and third-party complaint as to Third-Party Defendant Saybee's LLC. The court finds these motions suitable for determination on the papers and without oral argument in accordance with Civil Local Rule 7.1(d)(1). Accordingly, no appearances are required on April 7, 2008 and the motion will be deemed submitted as of that date.

IT IS SO ORDERED.

DATED: April 2, 2008


M. James Lorenz
United States District Court Judge

1 COPY TO:

2 HON. ANTHONY J. BATTAGLIA
3 UNITED STATES MAGISTRATE JUDGE

4 ALL PARTIES/COUNSEL
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